

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GAIL MANNEY,

Defendant.

Case No. 3:21-cr-00019-HDM-CSD

ORDER

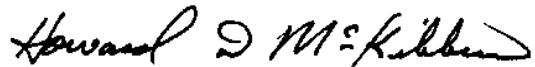
The court has received the order of the Ninth Circuit Court of Appeals dated August 19, 2024, vacating "the imposition of the standard conditions of supervised release and remand[ing] this matter to the district court so it can impose these conditions, if it so chooses, in a manner consistent with" *United States v. Montoya*, 82 F.4th 640 (9th Cir. 2023) (en banc) (ECF No. 144). The court has been advised by the Probation Department in the Eastern District of California that on May 14, 2024, the defendant reviewed with a probation officer the standard conditions of supervised release and acknowledged receipt of a written copy thereof. Accordingly, the defendant will have until June 24, 2025, to file any objections the defendant may have to entry of the following order of the court:

On August 19, 2024, the Ninth Circuit remanded this matter to the court for re-imposition of the standard conditions of supervised release in accordance with *United States v. Montoya*, 82 F.4th 640 (9th Cir. 2023) (en banc). The record reflects that on May 14, 2024, the Probation Department in the Eastern District of California reviewed with the defendant the standard conditions of supervised release imposed by this court in its judgment dated

1 March 28, 2023, and that the defendant acknowledged reviewing the
2 conditions and receiving a written copy thereof. Unfortunately,
3 the parties failed to bring this to the attention of the Ninth
4 Circuit before that court issued its order vacating the imposition
5 of the standard conditions three months later. The court concludes
6 that the defendant's review and acknowledgement of the standard
7 conditions of supervised release with her probation officer meets
8 the requirements of *Montoya*, that the defendant therefore is bound
9 to comply with the standard conditions of supervised release, and
10 that this resolves the issue on remand from the Ninth Circuit Court
11 of Appeals.

12 IT IS SO ORDERED.

13 DATED: This 4th day of June, 2025.

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16 UNITED STATES DISTRICT JUDGE
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